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Attorneys for Defendant
 Eric H. Holder, Jr.,
 Attorney General of the United States^{1/}

UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION

IRA DAVES,	)	Case No.: CV 08-07376 GW (AGRx)
)	
Plaintiff,	)	DECLARATION OF EUGENE R. LONG,
	)	JR. IN SUPPORT OF DEFENDANT'S
v.	)	MOTION FOR A PROTECTIVE ORDER
	)	AS TO PLAINTIFF'S FIRST AND
	)	SECOND SETS OF REQUESTS FOR
ERIC H. HOLDER, JR.,	)	FOR ADMISSIONS
ATTORNEY GENERAL,)	
)	
Defendant.	)	DATE: February 1, 2010
	)	TIME: 10:00 A.M.
	)	PLACE: Courtroom D
	)	Hon. Alicia G. Rosenberg
)	
	)	Discovery Cutoff: February 28, 2011
	)	Pretrial conference: July 25, 2011
	)	Trial Date: August 23, 2011.
)	
	)	JURY DEMAND

^{1/} On February 3, 2009, Eric Holder was sworn in as the Attorney General of the United States. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Attorney General Holder is automatically substituted for Michael Mukasey as the proper defendant in this suit.

1 I, Eugene R. Long, Jr., declare as follows:

2 1. I am an Assistant U.S. Attorney in the Southern District of California and have
3 been appointed a Special Attorney in this matter. I have responsibility for the defense of
4 the above-referenced case. I have personal knowledge of all facts set forth herein. If
5 called upon to do so, I could and would competently testify to those facts.

6 2. Attached to this Declaration as Defendant's Exhibit A is a true and correct copy
7 of the Document 36, the Scheduling Order in this matter.

8 3. Attached to this Declaration as Defendant's Exhibit B is a true and correct copy of
9 Plaintiff's Second Amended Complaint in this matter.

10 4. Attached to this Declaration as Defendant's Exhibit C is a true and correct copy of
11 an email sent to Michael L. Cohen, counsel for Plaintiff, dated December 3, 2010.

12 5. Attached to this Declaration as Defendant's Exhibit D is a true and correct copy
13 of a letter sent to Michael L. Cohen dated December 13, 2010.

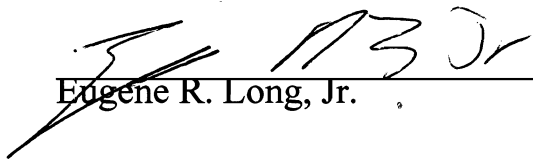
14 6. On December 15, 2010, I had a telephone conference with Michael L. Cohen to
15 meet and confer informally regarding Plaintiff's first and second set of requests for
16 admission. As part of that conversation, Plaintiff's counsel refused to consider a lower
17 number of requests for admissions or alternative means of discovery.

18 7. As part of the conversation on December 15, 2010, I also suggested putting the
19 requests for admissions on hold until after mediation. Plaintiff subsequently rejected that
20 offer on December 16, 2010.

21 8. On December 28, 2010, after Plaintiff served his third set of requests for
22 admissions on Defendant, I spoke with Michael L. Cohen and we agreed that the third set
23 of requests for admissions would be addressed as part of the same motion as the first and
24 second set of requests.

25 9. Parties agreed on December 28, 2010, that Defendant would have until December
26 30, 2010 to provide Plaintiff with Defendant's portion's of the joint stipulation to be filed
27 in support of Defendant's motion for a protective order and that Plaintiff would have until
28 January 6, 2010 to provide his portion of the joint stipulation.

1 I declare under a penalty of perjury under the laws of the United States that the
2 foregoing is true and correct. Executed on this 10th day of January 2011 at San Diego,
3 California.

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5 Eugene R. Long, Jr.
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